

Exhibit A

Secretary of State
Service of Process
P.O. Box 12079
Austin, Texas 78711-2079



7190 1046 4701 0109 4800

Return Receipt (Electronic)

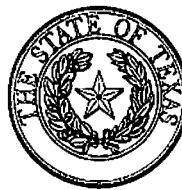
2020309091-1

A7 Transport Logistics LLC
Registered Agent: Andrejs Mihnevics
7820 Stahl Road
Orient, OH 43146

CUT / FOLD HERE

The State of Texas

Service of Process
P.O. Box 12079
Austin, Texas 78711-2079



Phone: 512-463-5560
Fax: 512-463-0873
Dial 7-1-1 For Relay Services
www.sos.texas.gov

Ruth R. Hughs
Secretary of State

September 11, 2019

A7 Transport Logistics LLC
Registered Agent: Andrejs Mihnevics
7820 Stahl Road
Orient, OH 43146

2020-309091-1

Include reference number
in all correspondence

RE: MICHELLE MIROSLAVA GOMEZ VS A7 TRANSPORT LOGISTICS LLC ET AL
293rd Judicial District Court Of Maverick County, Texas
Cause No. 190837802MCV

Dear Sir/Madam,

Pursuant to the Laws of Texas, we forward herewith by CERTIFIED MAIL, return receipt requested, a copy of the process received by the Secretary of State of the State of Texas on September 10, 2019.

CERTIFIED MAIL #71901046470101094800

Refer correspondence to:

Robert E. Brzezinski
Watts Guerra LLP
4 Dominion Drive, Blvd. 3, Ste. 100
San Antonio, TX 78257

Sincerely,

Service of Process
Government Filings
512-463-1662
GF/mo
Enclosure

CLERK OF THE COURT
LEOPOLDO VIELMA
500 Quarry Street, Suite 5
Eagle Pass, Texas 78852

ATTORNEY FOR PLAINTIFF OR PLAINTIFF
BRZEZINSKI ROBERT E.
4 DOMINION DRIVE, BLDG. 3, STE 100
SAN ANTONIO, TX 78257 210-447-0500

THE STATE OF TEXAS

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you."

A7 TRANSPORT LOGISTICS LLC, BY SERVING THE TEXAS SECRETARY OF STATE.
THE SECRETARY OF STATE SHOULD FORWARD TO ITS REGISTERED AGENT:
ANDREJS MIHNEVICS, LOCATED AT 7820 STAHL ROAD, ORIENT, OHIO 43146

To, Defendant, Greetings:

You are hereby commanded to appear by filing a written answer to the Plaintiff's Original Petition and Request for Disclosure at or before 10:00 a.m. of the Monday next after the expiration of twenty days after the date of service of this citation before the Honorable MARIBEL FLORES of the 293rd Judicial District Court of Maverick County, Texas at the Court House of said County in Eagle Pass, Texas.

Said Plaintiff's Petition was filed in said court on August 27, 2019 in this case, numbered 19-08-37802-MCV on the docket of said court, and styled, MICHELLE MIROSLAVA GOMEZ VS A7 TRANSPORT LOGISTICS, LLC ETAL.

The nature of Plaintiff's demand is fully shown by a true and correct copy of Plaintiff's Original Petition and Request for Disclosure accompanying this citation and made a part of hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at Eagle Pass, Texas
this the Third day of September, 2019

Leopoldo Vielma, Clerk
293 Judicial District Court
Maverick County, Texas

By CC Deputy

RECEIVED
SEP 10 2019
SECRETARY OF STATE
Service of Process

SHERIFF'S RETURN

309091

Came to hand on the _____ day of _____, 20____,
at _____ O'clock ___ M., and EXECUTED by delivering to each of the within named

defendants, in person, a true copy of this Citation, together within the accompanying true and correct copy of the Plaintiff's Petition. At the following times and places to-wit:

____ Sheriff / Constable Pct
____ County

As to DEFENDANT: _____ By: _____ Deputy
Sheriff / Deputy Constable

MO. DAY 20 TIME OR Private
(Private Process Server must
Complete Verification Form)

OFFICER'S RETURN

<_CaseNum_> <_CourtDesc_>

<_Style_>

ADDRESS FOR SERVICE:

<_Address_>

Came to hand on the _____ day of _____, 20____. At _____, o'clock _____.m, and executed in _____ County, Texas by delivering to each of the within named defendants in person a true copy of this Citation with the date of delivery endorsed thereon, together with accompanying copy of the <_EventDese_>. At the following times and places, to-wit:

Name	Date/Time	Place, Course and Distance from Courthouse
_____	_____	_____

And not executed as to the defendant(s). _____

The diligence used in finding said defendant(s) being:

And the cause or failure to execute this process is:

And the information received as to the whereabouts of said defendant(s) being:

FEES:

SERVING Petition and Copy \$ _____
Total \$ _____

_____, Officer
_____, County, Texas
By: _____, Deputy

Affiant

Complete IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a citation shall Sign the return. The signature is not required to be verified. If the return is signed by person other than a sheriff, Constable or the clerk of the court, the return shall be signed under penalty of perjury and contain the following Statement:

" My name is _____, my date of birth is _____, and my address is _____.
(First, Middle, Last)

(Street, City, Zip)

I DECLARE UNDER PENALTY OF PERJURY THAT THE FORGOING IS TRUE AND CORRECT.

Executed in _____ County, State of _____, on the _____ day of _____.

Server

Declarant/authorized Process

(Id # expiration of certification)

CAUSE NO. 19-08-37802-MCVMICHELLE MIROSLAVA GOMEZ,
Plaintiff,

IN THE DISTRICT COURT

VS.

293RD JUDICIAL DISTRICT

A7 TRANSPORT LOGISTICS LLC
AND
MIKHAIL YURYEVICH MOSHKOLA,
Defendants.

MAVERICK COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION AND REQUESTS FOR DISCLOSURE

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff, Michelle Miroslava Gomez, files her Original Petition and Requests for Disclosure against Defendants A7 Transport Logistics LLC and Mikhail Yuryevich Moshkola, and in support thereof would respectfully show unto the Court the following:

I.
DISCOVERY TRACK

1.1 Plaintiff intends to conduct discovery pursuant to a Level Three Discovery Control Plan in accordance with Rule 190.4 of the Texas Rules of Civil Procedure, and will seek an agreed Order or other Court Order to this effect.

II.
PARTIES

2.1 Plaintiff, Michelle Miroslava Gomez, resided in Eagle Pass, Maverick County, Texas at the time of the incident in question.

2.2 Defendant, A7 Transport Logistics LLC (hereinafter "A7 Transport"), is a foreign corporation duly organized pursuant to the laws of the State of Ohio that does business throughout the United States, including conducting business in Texas. A7 Transport does not appear to actively have a Texas Registered Agent for service in Texas and thus may be served through the office of the Texas Secretary of State in accordance

with Texas Business Organizations Code § 5.251 and/or Texas Civil Practice and Remedies Code § 17.044. The Secretary of State should send this pleading to A7 Transport's Registered Agent, Andrejs Mihnevics, located at 7820 Stahl Road, Orient, Ohio 43146.

2.3 Defendant, Mikhail Yuryevich Moshkola, is a resident of Sarasota Country, Florida. Defendant Mikhail Yuryevich Moshkola may be served with process at 3211 Oporto Street, North Port, Florida 34287.

III. Venue and Jurisdiction

3.1 Venue is proper in Maverick County, Texas pursuant to Tex. Civ. Prac. & Rem. Code § 15.002(a)(1) because Maverick County is the county in which all or a substantial part of the events or omissions giving rise to the claim occurred. Venue is proper as to all of Plaintiff's claims against all Defendants under Texas Civil Practice and Remedies Code § 15.005 because all of Plaintiff's claims arise from the same transaction or occurrence or series of transactions or occurrences.

3.2 This Court has subject matter jurisdiction because the amount sought herein exceeds the minimum jurisdictional limits of the Court.

3.3 Pursuant to TRCP 47, Plaintiff seeks monetary damages in excess of \$1,000,000.00.

3.4 The Court has specific jurisdiction over both Defendant A7 Transport and Defendant Moshkola because they each purposefully directed activities to Texas, have purposefully availed themselves to the benefits and privileges of conducting business in Texas, and the claims made in this lawsuit arise foreseeably from the direction of those activities to Texas by the Defendants. It is foreseeable that each Defendant that the purposeful direction of their activities to the State of Texas would result in a lawsuit

arising from those activities in Texas. The exercise of personal jurisdiction over both Defendants comports with due process and traditional notions of fair play and substantial justice because both Defendants' actives made it reasonable for them to expect to be brought into a Texas court to face a lawsuit arising out of those activities. To the extent necessary, the exercise of personal jurisdiction over both Defendants comports with the Texas Long-Arm statute and does not offend traditional notions of fair play and substantial justice.

3.5 Although Plaintiff seeks damages in an amount exceeding \$75,000, federal courts lack jurisdiction over this suit. Plaintiff's claims raise no federal question. Plaintiff seeks no relief under a federal law, statute, regulation, treaty, or constitution, nor do Plaintiff's rights to relief necessarily depend on the resolution of a substantial question of federal law. Thus, removal would be improper.

IV. BACKGROUND FACTS

4.1 According to the crash report, on October 5, 2018, at approximately 8:08 a.m., Plaintiff was traveling northbound in the inside lane of the 2200 block of North Veterans Boulevard in Eagle Pass, Texas. At the same time, Defendant Moshkola, acting in the course and scope of his employment with A7 Transport, was facing west within a private driveway attempting to enter North Veterans Boulevard to travel southbound. Suddenly and without warning, Defendant Moshkola, failing to yield the right of way to Plaintiff, pulled out and caused the subject crash, severely injuring Plaintiff.

CAUSES OF ACTION AGAINST DEFENDANTS A7 TRANSPORT LOGISTICS LLC AND MIKHAIL YURYEVICH MOSHKOLA

V. NEGLIGENCE AND VICARIOUS LIABILITY

5.1 Defendant A7 Transport and Defendant Moshkola committed actions of omission and commission, which collectively and severally constituted negligence. That negligence proximately caused the crash in question and Plaintiff's damages.

5.2 Defendant A7 Transport and Defendant Moshkola owed a duty to Plaintiff to exercise ordinary care. Defendant A7 Transport and Defendant Moshkola's acts or omissions of negligence include, without limitation, one or more of the following:

- a) Operating a vehicle on a public roadway while failing to keep a proper lookout;
- b) Failing to yield the right of way;
- c) Failing to safely operate the subject vehicle; and
- d) Failing to pay attention to attendant traffic and driving conditions.

5.3 Defendant A7 Transport is liable for the conduct of Defendant Moshkola under the doctrine of *respondeat superior*. Defendant Moshkola was employed by Defendant A7 Transport as its authorized agent, servant, and/or employee on the date in question. Defendant A7 Transportation is vicariously liable for Moshkola's negligence because Defendant Moshkola was acting in furtherance of the business of Defendant A7 Transport and was in the course and scope of his employment or agency with Defendant A7 Transportation at the time of the collision.

DAMAGES

VI. ACTUAL DAMAGES

6.1 As a result of the subject crash, Plaintiff has suffered in the past, and will likely suffer in the future, damages including physical pain and suffering, mental anguish, physical impairment, disfigurement, lost earnings, loss of earning capacity, and

reasonable and necessary medical expenses. Those damages were proximately caused by the negligence of the Defendants.

**VII.
PRE-JUDGMENT AND POST- JUDGMENT INTEREST**

7.1 Plaintiff seeks pre-judgment and post-judgment interest at the maximum legal rate.

**VIII.
JURY DEMAND**

8.1 Plaintiff requests a jury trial and tenders the requisite jury fee.

**IX.
CONDITIONS PRECEDENT**

9.1 Pursuant to Rule 54 of the Texas Rules of Civil Procedure, all conditions precedent to Plaintiff's rights to recover herein and to Defendants' liability have been performed or have occurred.

**X.
REQUESTS FOR DISCLOSURE**

10.1 Pursuant to Rule 194 of the Texas Rules of Civil Procedure, Defendants are required to disclose, within fifty (50) days of service of this request, the information and material described in the Texas Rules of Civil Procedure 194.2(a)-(l).

**XI.
PRAYER**

11.1 WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that Defendants be cited to appear and answer herein, that this cause be set down for a trial before a jury and that Plaintiff recovers judgment of and from the Defendants for their actual and exemplary damages, in such an amount as the evidence may show and the jury may determine to be proper, together with pre-judgment and post-judgment interest, costs of

suit, and other and such further relief to which she may justly show herself entitled whether at law or in equity.

Respectfully Submitted,

WATTS GUERRA LLP
4 Dominion Drive, Bldg. 3, Ste. 100
San Antonio, Texas 78257
Telephone: 210.447.0500
Facsimile: 210.447.0501

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ATTORNEYS FOR PLAINTIFF